

that we shall have the power of declaring the punishment of treason. I want that these innocent ones shall have the benefit of this principle that no conviction shall of necessity work forfeiture upon them. I want it to be made so as not absolutely to take from the wife and children who are innocent, their right of succession. I want that so in the Constitution of Maryland, and I want gentlemen to understand that it is not because I concede that the Legislature of Maryland may not of right forfeit his property or anything that is his. If a man abjures his allegiance to the State of Maryland, if he commits treason against the State of Maryland, he utterly and forever, so far as he is concerned, abandons its protection of life and estate, no matter what that estate is. I want the Legislature hereafter to have the power, if, in its belief, the wife and children are innocent; and, if in its belief, it would beggar them unjustly, to say that the conviction shall only of necessity work during the life of the party convicted; and that the State of Maryland, in its magnanimity and its generosity, or whatever you choose to call it, shall have the right, if they see fit to exercise it, to clothe the children with the possessions of the father. That is exactly, if I understand my friend from Baltimore city, (Mr. Stirling,) the construction which he gives to this article.

Mr. STIRLING. Certainly.

Mr. SANDS. That is exactly the construction I understood him to give it, and that is certainly a construction upon which I shall vote for the amendment as he places it before this Convention.

Mr. CHAMBERS. Without intending any offence to the Convention, I wish to say that I cannot submit to allow to pass unnoticed the remarks which the gentleman over the way, (Mr. Sands,) has chosen to present to this body, although he has surrounded himself with a very filthy atmosphere, throwing out language of which nobody knows the meaning, and denouncing whole classes of people as unworthy of the protection of the Government and deserving of every species of punishment. I do not know to whom he refers. As for myself, I am making a Constitution for the people of Maryland; and they are an honest people. They do not deserve to be denounced as unworthy of protection, or charity, or any Christian feeling. The simple question is, not whether the man acknowledged to be guilty of a gross crime—a crime which the State has abundant authority to punish just as they please, to punish not only by quartering, but by quartering the quarters if they choose to do it, and declaring that his posterity *ad infinitum* shall never be recognized but as children or progeny of traitors, for they have all that power—

Mr. SANDS, (interposing.) So I expressly said in my remarks.

Mr. CHAMBERS. This colloquial style of argument is not one which I wish to adopt, and I prefer not to be interrupted.

The Indian, in his aboriginal condition, takes the life of every criminal, and has a right to do it according to his law. That is the law of the Indians. That is the original law of mankind. We have abandoned that. We have determined long since, ages and ages past, that that is not the proper mode. We have modified that. We have recognized degrees of crime, and we have established in consequence corresponding degrees of punishment. We adopt the law of God which tells us that while sins are visited unto the third and fourth generation, upon those that continue in sin, mercy is shown to the innocent children of guilty men. In a period of less enlightenment, in a less Christian period, children were made the victims of the crimes of their parents. We did this after the death of the parent. We have been habitually improving. We have come down to an age when we have said that the children should not suffer for the sins of their fathers, by being deprived of the property which, without that crime, they would have inherited. Shall we retract? Shall we retrace our steps? Shall we approach the border of barbarism from which we have been continually retiring with the advance of literature, Christianity and humanity. That is the question now; not to be affected because there are a great many very bad men in this State whom the gentleman would be very glad to get hold of and have hanged. Some men have been regarded as traitors whose names have been handed down with pride to a subsequent age. Champions of liberty have been traitors, and have been the victims of that very system which we denounce as utterly improper. Your Sydneys, and Hampdens, and all sorts of people, have been charged with being traitors. We are making laws for those who are to come after us, and who may or may not be, with the exception of error of judgment, error of opinion, however palpable, censurable.

I do not choose to be put in the category of those who do not desire to have traitors punished. Punish them. Take from them every cent they have, every acre they have. If you choose to do it, take from them the means of acquiring another. Dispose of them as you like. Send them to the gallows. Punish your traitor as much as you please. I have made no complaint of that; I shall make none. They ought to be punished. No government can be preserved without maintaining the allegiance of those who live under it. I say that no man who lives under a government ought to abandon it. I have advocated that doctrine; and I mean to do it. If I considered a government no longer fit to be supported, I would not maintain any affiliation to it. I would clear out from it.